IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT
OF PENNSYLVANIA

WRS, INC., d/b/a WRS MOTION PICTURE LABORATORIES, a corporation,	CIVIL ACTION
	No. 00-2041
Plaintiff,	
vs.	
PLAZA ENTERTAINMENT, INC., a corporation, ERIC PARKINSON, an individual, CHARLES von BERNUTH, an individual and JOHN HERKLOTZ, an individual,	
Defendants.	

ORDER OF COURT

AND NOW, to-wit, this __________ day of ______________________, 2006, upon the Motion of Plaintiff, it appearing to the Court that although counsel for Charles von Bernuth, John Gibson, indicated his intention to participate in the Stipulation to retain an accountant to review the evidence of Plaintiff's damages and it was his stated intention to file a Motion for Summary Judgment, it appears that as of the date of the filing of Plaintiff's Motion, Charles von Bernuth, through Attorney Gibson, has neither filed a Motion for Summary Judgment, nor paid to Schneider Downs, Inc. the sum of $5,000.00, constituting the one-third share of the retainer for the accountant contemplated by the Stipulation of parties filed on March 23, 2006 , it is hereby ORDERED that Defendant, Charles von Bernuth, shall show cause why default should not be entered against him in the within proceedings for failure to defend the claims of Plaintiff and to prosecute the counterclaim filed by Charles von Bernuth by filing a statement of his intention within ____ days of the date of this Order, in absence of which this Court shall permit John Gibson to withdraw as counsel for said Defendant and the Court shall enter a default on the record pursuant to F.R.C.P. 55(a).

BY THE COURT:

________________________________ J.